

CITY OF ALAMEDA

Memorandum

To: Honorable Mayor and
Members of the City Council

From: Lisa Goldman
Acting City Manager

Date: May 3, 2011

Re: Adopt a Resolution to Preliminarily Approve the Annual Report Declaring the
City's Intention to Order the Levy and Collection of Assessments and
Providing for Notice of Public Hearing on June 21, 2011 – Maintenance
Assessment District 01-01 (Marina Cove)

BACKGROUND

In accordance with the Landscape and Lighting Act of 1972, the City Council is required to annually appoint an Engineer and an Attorney to prepare an Engineer's Report and adopt a resolution to preliminarily approve the report, declare the City's intent to levy and collect the assessment, and set a public hearing date on the proposed assessments. The resolution is required to be published once in a local paper with a minimum of ten days between the first notice by publication of the resolution and the public hearing. On February 1, 2011, the City Council appointed an Engineer and an Attorney for the Maintenance Assessment District 01-01 (MAD) in Marina Cove and authorized the preparation of the annual budget report.

DISCUSSION

The MAD funds the maintenance of street trees, medians, sidewalks, pathways, irrigation, lighting, and the associated utility costs. The Engineer's Report was prepared in accordance with Section 22565 et seq. of the California Streets and Highways Code. The report includes an estimated annual budget to maintain the public improvements within the MAD. When the MAD was established, an automatic Consumer Price Index (CPI) increase was pre-approved. Accordingly, the assessments will increase by 1.7%, which is the CPI for the Bay Area for the year ending February 2011, and a vote of the property owners is not required. Public Works staff proposes that the City Council adopt a resolution to preliminarily approve the Engineer's Report and set the regular City Council meeting of June 21, 2011 as the date for the public hearing. A copy of the Engineer's Report is on file in the City Clerk's office.

FINANCIAL IMPACT

MAD was created to maintain public improvements associated with the Marina Cove development. The Marina Cove Maintenance (Fund 0276) that are not expended in a fiscal year remain within the assessment district and may be used for future expenses. The cost to administer the MAD, including full City cost allocation, is approximately \$6,300 and is included within the proposed budget. There is no impact to the General Fund.

MUNICIPAL CODE/POLICY DOCUMENT CROSS REFERENCE

This action does affect the Municipal Code.

RECOMMENDATION

Adopt a resolution to preliminarily approve the annual report declaring the City's intention to order the levy and collection of assessments and providing for notice of public hearing on June 21, 2011 - MAD 01-01 (Marina Cove).

Respectfully submitted,



Matthew T. Naclerio
Public Works Director

By,



Judy Wehe
Senior Management Analyst

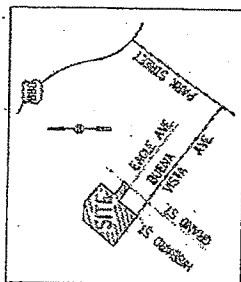
Approved as to funds and account,



Fred Marsh
Controller

Exhibits:

1. Maintenance Assessment District Map
2. Engineer's Report (on file in the City Clerk's office)



VICINITY MAP
NO SCALE

LEGEND

BOUNDARY LINE OF PROPOSED MAINTENANCE
ASSESSMENT DISTRICT NO.1

THESE THE BOUNDARY LINES OF MAINTENANCE OF THE ASSESSOR'S PARCEL NUMBERS REFERENCES IS MADE TO MAPS, CITY TRACT MAP NO 7710 ON FILE WITH THE CITY ENGINEER, CITY OF ALAMEDA

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF ALAMEDA, STATE OF CALIFORNIA, THIS DAY OF _____, 200__.

LARA WEDDER, CITY CLERK

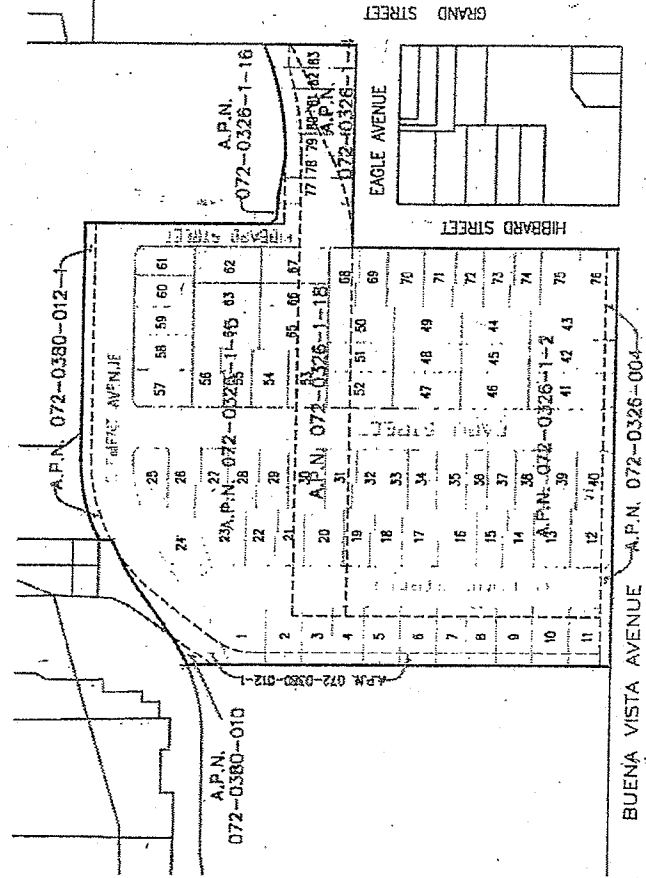
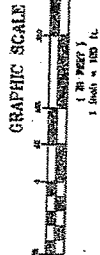
I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF CITY OF ALAMEDA MAINTENANCE ASSESSMENT DISTRICT NO.1 (ALAMEDA CITY TRACT 7710), COUNTY OF ALAMEDA, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY ENGINEER OF THE CITY OF ALAMEDA AT A REGULAR MEETING THEREOF HELD ON THE DAY OF _____, 200__ BY THE RESOLUTION NO. _____.

LARA WEDDER, CITY CLERK

EO THIS DAY OF _____, 200__ AT THE HOUR OF _____ O'CLOCK _____ IN ROOM _____ OF MAPS OF SESSMENT AND COMPARITY FACILITIES DISTRICTS AT PAGE _____ IN THE OFFICE OF THE COUNTY RECORDER THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA.

COURT RECORDER
COUNTY OF ALAMEDA
STATE OF CALIFORNIA

BOUNDARIES OF MAINTENANCE ASSESSMENT DISTRICT NO.1 CITY OF ALAMEDA, COUNTY OF ALAMEDA, STATE OF CALIFORNIA DATE: MAY 2002 SCALE 1"=100' RELLABCCI & ASSOCIATES, INC. CONCORD



BUENA VISTA AVENUE A.P.N. 072-0326-004

CITY OF ALAMEDA RESOLUTION NO. _____

PRELIMINARILY APPROVE THE ANNUAL REPORT DECLARING THE CITY'S INTENTION TO ORDER THE LEVY AND COLLECTION OF ASSESSMENTS AND PROVIDING FOR NOTICE OF PUBLIC HEARING ON JUNE 21, 2011 – MAINTENANCE ASSESSMENT DISTRICT 01-01 (MARINA COVE)

WHEREAS, the City of Alameda (the "City") has duly created the Maintenance Assessment District 01-01 (the "District") pursuant to Chapter 3, Article V of the Alameda Municipal Code (AMC), and Resolution No. 12417 to install and maintain certain landscaping and lighting and other improvements (the "Improvements"); and

WHEREAS, the City has directed the City Engineer, as engineer of work for the District, to file an annual report in accordance with the Landscaping and Lighting Act of 1972 ("Act"), and that report is on file with the City and shows the proposed improvements and the estimated costs and assessments, all for FY11-12.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Alameda that:

1. The report of the engineer of work on file with the City is hereby preliminarily approved and the City intends to levy assessments on the properties shown in the report for FY11-12, subject to any changes that may be ordered by the City Council.

2. On June 21, 2011, at the hour of 7:00 o'clock P.M., the City Council will hold a public hearing on the proposed improvements and the proposed assessments for FY11-12. The hearing will be held at the meeting place of the City Council, in the Alameda City Hall, 2263 Santa Clara Avenue, Third Floor, Council Chambers, Alameda, California, 94501.

3. The City Clerk is authorized and directed to give notice of the hearing required by the Act, as that Act is incorporated in Chapter 3, Article V of the AMC, by publishing a copy of this resolution twice in the Alameda Journal, a newspaper regularly published and circulated in the City. The first publication shall be not later than ten days before the date of said hearing.

4. Interested persons should contact Debra Sue Johnson of the City of Alameda Public Works Department, 950 W. Mall Square, Room 110, Alameda, California 94501, telephone number (510) 747-7930, regarding this hearing, the assessments, and the report.

* * * * *

Resolution #5-I CC
05-03-11

Approved as to Form

City Attorney

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the 3rd day of May, 2011, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 4th day of May, 2011.

Lara Weisiger, City Clerk
City of Alameda